

LAW OFFICES  
**KENNETH A. ZITTER**  
260 MADISON AVENUE  
NEW YORK, NEW YORK 10016  
(212) 532-8000

September 5, 2019

Honorable Paul G. Gardephe  
United States District Judge  
United States District Courthouse  
40 Foley Square - Room 2204  
New York, New York 10007

Re: **Alpha Capital Anstalt v. Shiftpixy, Inc.**  
19 CV 6199 (PGG)

Dear Judge Gardephe:

We represent Plaintiff Alpha Capital Anstalt (“Alpha Capital”) in the captioned matter. We write to request a short adjournment of the summary judgment briefing schedule which the Court set at the hearing last Thursday, August 29, 2019.

Alpha Capital requests that its moving papers be submitted on September 10, 2019 (instead of September 6); that Defendant Shiftpixy’s motion papers be submitted on September 24, 2019 (instead of September 20) and that Alpha Capital’s reply papers be submitted on September 27, 2019 (instead of September 25).

Shiftpixy consents to the requested schedule changes. There have been no prior requests to adjourn the briefing schedule.

Respectfully submitted,



Kenneth A. Zitter

KAZ/nr

cc: Martin E. Karlinsky, Esq.

**MEMO ENDORSED**

**The Application is granted.**

**SO ORDERED:**

*Paul G. Gardephe*  
Paul G. Gardephe, U.S.D.J.

Dated: September 6, 2019